

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DENNIS FULTON,

Petitioner,

v.

BARRY SMITH, et al.,

Respondents.

CIVIL ACTION
NO. 20-3916

ORDER

AND NOW, this 3rd day of August 2021, upon consideration of Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 1), Petitioner's Motion for Stay (Doc. No. 2), Respondents' Response to Petitioner's Motion for Stay (Doc. No. 17), and the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (Doc. No. 19), it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. No. 19) is **APPROVED** and **ADOPTED**.
2. Petitioner's Motion for Stay (Doc. No. 2) is **GRANTED**.
3. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **STAYED** and held in **ABEYANCE** while Petitioner litigates his direct appeal in the state courts.
4. Petitioner shall notify the Court within thirty days of the conclusion of the state court proceedings. At that time, Petitioner shall provide a written status report detailing the conclusion of his state court proceedings and include a copy of the relevant state court disposition. Petitioner shall inform the Court whether the state

court proceedings impacted his habeas petition in anyway.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.